



10-20-04

IFW

Attorney Document No. 9399

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Klein et al.

Confirmation No.: 4548

Application No.: 10/792,339

Group Art Unit: 1617

Filed: March 3, 2004

For: *Methods for Controlling Fungi and Bacteria*

Date: October 19, 2004

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

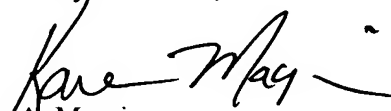
Sir:

Attached is a Form PTO-1449 listing documents cited in the International Search Report for the corresponding International Application Number PCT/US2004/006437. Each document listed on the attached PTO-1449 was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement. A copy of any listed foreign patent document and/or non-patent literature including the Search Report is enclosed. A copy of any listed U.S. patent and/or U.S. patent application publication is not provided herewith in accordance with the waiver by the U.S. Patent and Trademark Office of requirements under 37 C.F.R. § 1.98(a)(2)(i) for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC § 371 after June 30, 2003. In accordance with MPEP § 609, the submission of the copy of the Search Report should serve as satisfying the requirement of a concise explanation of the listed non-English language references.

It is requested that these documents be considered by the Examiner and officially made of record in accordance with the provisions of 37 C.F.R. § 1.56 and Section 609 of the MPEP.

No fee is believed due; however, the Commissioner is hereby authorized to charge any deficiency or credit any refund to Deposit Account No. 50-0220.

Respectfully submitted,

  
Karen A. Magri  
Registration No. 41,965

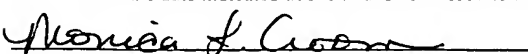
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EXAMINER  
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Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.